

Local support for 'Idle No More' cause

By Yvonne Iverson
Spilyay Tymoo

Warm Springs community members gathered to show support to Chief Spence and 'Idle No More' at the Community Center on New Years Eve.

Carlos Calica sent out the event notice on Facebook on Sunday, and by noon Monday a group filled the Social Hall to show their support.

On the day of the event Chief Spence was on Day 20 of a hunger strike, which Spence would end once granted a meeting with the Canadian government and the Prime Minister.

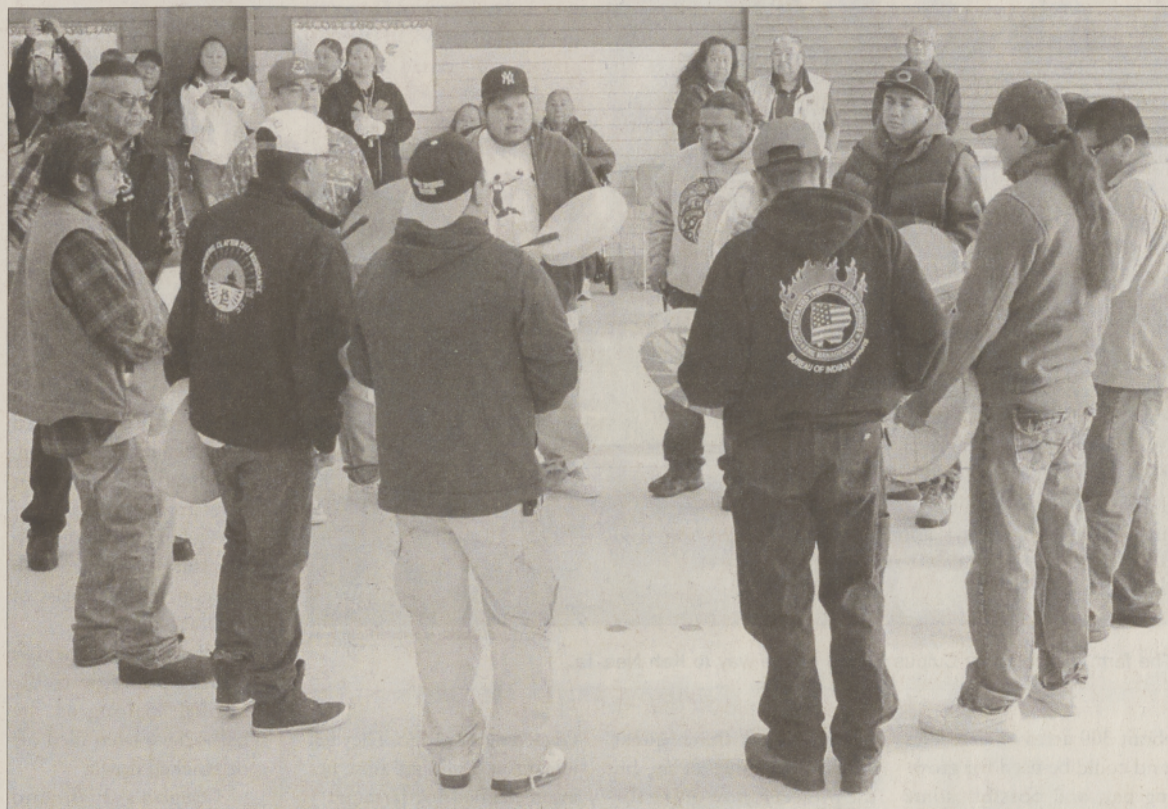
Prime Minister Stephen Harper's office released a statement on Friday, Jan. 4, declaring that he would attend a meeting with Attawapiskat Chief Theresa Spence, as well as other Assembly of First Nations (AFN) chiefs on Jan. 11.

As folks continued to gather during their lunch hour, Carlos Calica, event organizer, explained:

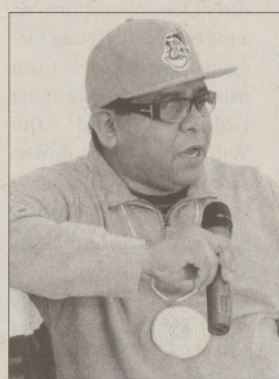
"Our relatives are fighting for their rights given through treaty. We will sing two songs, one being the Chief Song, as I feel it appropriate as she is a leader for all Native nations North and South."

In an interview with Canadian news channel CBC, Chief Spence explained that she is not directly related to 'Idle No More,' although she is aware of the grassroots efforts to raise awareness for Treaty rights and environmental protections.

Kayla Tufti, who was in



Yvonne Iverson photos.



Top: Drummers sing an Honor Song and Round Dance Song. Above: Carlos Calica explains why he called the gathering. Right: Participants show their support with signs.



town from Eugene, explained her understanding of how the Idle No More grassroots movement began:

"Bill C45 is an omnibus bill (which means) it is a bunch of bills compiled into one, so that they can't focus on the details. They just pass it all in one. That stripped the First Nations Treaty Rights to water and land."

According to their website, Idle No More began with four ladies who felt it was urgent to act on legislation that not only affects our First Nations people but the rest of Canada's citizens, lands and waters.

More information and news about the Idle No More efforts at their website: www.idlenomore.ca

Later in the week, another support event was scheduled to take place in Madras on Highway 97.

Changes in university diversity office questioned

EUGENE (AP) — Leaders of Eugene's Native American, African-American and Hispanic communities met last week to question the University of Oregon's decision to restructure its Office of Institution Equity and Diversity.

The contracts of three assistant vice presidents were discontinued and the office has been renamed the Office of Institutional Equity and Inclusion.

Tana Atchley of the Oregon Indian Education Association said it was disrespectful to make the changes without consulting tribes.

The vice president in charge of the new office, Yvette Alex-Assensoh, said the university is shifting to a "distributed model" in which matters of equity, inclusion and diversity will be everyone's work rather than the sole responsibility of an individual.

Per capita taxation issue resolving in tribes' favor

By Dave Palermo
Advocate and author

It was during a September hearing of the House Subcommittee on Indian and Alaska Native Affairs that Rep. Don Young, D-Alaska, grew a bit impatient with witness Christy Jacobs, director of the Internal Revenue Service's Office of Indian Tribal Governments,

At issue was an April letter from the IRS Portland office that stated per capita payments from tribal trust resources to citizens of the Confederated Tribes of Warm Springs could be subject to taxation, reversing several decades of federal policy that per capita payments are tax exempt. A similar letter was sent to the Yakama Nation.

"Christy, I'm a little confused," Young said. "Where did this idea come from? Which brainchild and what area of the moon did they come from?"

"Did we have some little energetic individual that thinks, 'I'll go get those Indian tribes [and] they have to pay their money?'"

Jacobs acknowledged the letter was a massive mistake.

"I do not believe that per capita payments made to tribal members pursuant to the Per Capita Act from trust resources are taxable," she said.

The very notion Treasury and the IRS would consider taxing per capita payments from tribal resources, exempt under the Per Capita Act of 1983, struck Young as a gross injustice.

"Per capita payments are not government handouts," Young said. "They are benefits that belong to Indians secure in terms of negotiated treaties and statutes whereby tribes ceded tens of millions of acres of land to the United States.

"It would be a grave injustice to tax revenues originated from lands" held in tribal trusts, he said.

American Indian tribes have for several years been monitoring and at times fending off efforts by Treasury and the IRS to revise or reinterpret the tax status of tribal governments.

Fortunately for indigenous communities, recent moves to alter the taxability of per

capita payments from tribal trust resources and re-examine the tax exempt status of health care and social welfare programs funded by casino revenues have been resolved to the benefit of tribes.

A December Treasury guidance document states that per capital payments to citizens of some 40 tribes arising out of the recent federal trust settlement lawsuit will not be included in the individual's gross income for tax purposes.

Another threat was averted Dec. 5, when Treasury and the IRS unveiled a revised draft of the General Welfare Exclusion (GWE) doctrine that, in effect, recognizes that most tribal government services are to remain tax exempt, even those funded with gambling revenues.

The draft GWE doctrine was the result of months of consultations between Treasury, the IRS and the Intertribal Organization Tax Initiative (IOTI), a coalition

comprised of the National Congress of American Indians, Native American Finance Officers Association (NAFOA), United South and Eastern Tribes (USET) and the California Association of Tribal Governments.

The GWE doctrine generally calls for the IRS to continue to exempt from taxation most social service programs provided by state, municipal, county and tribal governments.

Comments on the draft doctrine are open till June 3.

To their credit, Treasury and IRS officials were willing to work with IOTI in settling the long simmering dispute over the tax status of social programs for this country's indigenous citizens, many of whom remain locked in cyclical poverty and unemployment.

"[IRS and Treasury] were very interested in what the tribes had to say," said Lynn Malerba, chief of the Mohegan Tribe of Connecticut and USET's representa-

tive to IOTI.

"This wasn't adversarial at all. It was a very cordial effort and the IRS and Treasury ... incorporated a lot of their comments into their guidance."

"Treasury and the IRS are now publicly committed to issuing new written guidelines on this subject," Aaron Klein, Treasury's deputy assistant secretary for economic policy coordination, said of the agency's doctrine on the tax exempt status of social service programs offered by state, local and tribal governments.

"In doing so we will remain mindful of the comments and position thought-

fully articulated by tribes and tribal leaders."

The progress made in tribal consultations with the IRS and Treasury should be applauded.

"The consultations with the IRS have worked," said NAFOA Executive Director Dante Desidario. "The agency is taking the tribal concerns seriously."

But what remains disconcerting is the apparently ignorance of tribal self-governance and the economic state of tribal communities that planted the seeds of IRS and Treasury suspicions and, eventually, the assault of auditors on tribal lands.

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